

**BEFORE THE  
CALIFORNIA BOARD Of Occupational Therapy  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. OT 2005 - 48

ADRIAN BERNARD BAIRD  
1636 Idlewood Road  
Glendale, CA 91202

Occupational Therapy License No. OT 2060

Respondent.

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted  
by the California Board of Occupational Therapy as its Decision in this matter.

This Decision shall become effective on January 25, 2008.

It is so ORDERED December 26, 2007.

  
\_\_\_\_\_  
FOR THE CALIFORNIA BOARD OF OCCUPATIONAL THERAPY

EDMUND G. BROWN JR., Attorney General  
of the State of California  
GLORIA A. BARRIOS  
Supervising Deputy Attorney General  
SUSAN MELTON WILSON, State Bar No. 106902  
Deputy Attorney General  
California Department of Justice  
300 So. Spring Street, Suite 1702  
Los Angeles, CA 90013  
Telephone: (213) 897-4942  
Facsimile: (213) 897-2804

Attorneys for Complainant

**BEFORE THE  
CALIFORNIA BOARD OF OCCUPATIONAL THERAPY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

ADRIAN BERNARD BAIRD  
1636 Idlewood Road  
Glendale, CA 91202

Occupational Therapy License No. OT 2060

Respondent.

Case No. OT 2005 - 48  
OAH No. L-2007010357

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
above-entitled proceedings that the following matters are true:

**PARTIES**

1. Heather Martin (Complainant) is the Executive Officer of the California Board of Occupational Therapy, Department of Consumer Affairs ("Board"). She brought this action solely in her official capacity and is represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California, by Susan Melton Wilson, Deputy Attorney General.
2. Respondent Adrian Bernard Baird is represented in this proceeding by Law Offices of Perez Gonzalez, by Attorney Christopher Gonzalez (111 East Broadway, Suite 210, Glendale, California 91205).

////

3. On or about September 10, 2002, the Board issued Occupational Therapy License No. OT 2060 to Adrian Bernard Baird ("Respondent"). The Occupational Therapy License was in full force and effect at all times relevant to the charges brought herein and will expire on March 31, 2008, unless renewed.

## JURISDICTION

4. Accusation No. OT 2005 - 48 was filed before the Board on April 26, 2007 and properly served to Respondent, who filed his timely Notice of Defense, contesting the Accusation. A copy of Accusation No. OT 2005 - 48, currently pending against Respondent, is attached as **Exhibit A** and incorporated herein by reference.

## ADVISEMENT AND WAIVERS

5. Respondent Baird has carefully read, and understands the charges and allegations in Accusation No. OT 2005 - 48. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent Baird is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent Baird voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

## CULPABILITY

8. Respondent Baird agrees that Occupational Therapy License No. OT 2060 is subject to the jurisdiction of the Board of Occupational Therapy.

9. Respondent Baird admits the truth of each and every charge and allegation in Accusation No. OT 2005 - 48.

10. Respondent agrees that Occupational Therapy License No. OT 2060 is

1 subject to discipline and he agrees to be bound by the Board's imposition of discipline as set forth  
2 in the Disciplinary Order below.

3 CIRCUMSTANCES IN MITIGATION

4 11. Respondent Baird has never been subject to any previous disciplinary  
5 action, and has admitted responsibility at an early stage in the proceeding.

6 RESERVATION

7 12. The admissions made by Respondent herein are only for the purposes of  
8 this proceeding, or any other proceedings in which the California Board of Occupational Therapy  
9 or other professional licensing agency is involved, and shall not be admissible in any other  
10 criminal or civil proceeding.

11 CONTINGENCY

12 13. This stipulation shall be subject to approval by the California Board of  
13 Occupational Therapy. Respondent understands and agrees that counsel for Complainant and the  
14 staff of the California Board of Occupational Therapy may communicate directly with the Board  
15 regarding this stipulation and settlement, without notice to or participation by Respondent. By  
16 signing the stipulation, Respondent understands and agrees that he may not withdraw his  
17 agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon  
18 it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement  
19 and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be  
20 inadmissible in any legal action between the parties, and the Board shall not be disqualified from  
21 further action by having considered this matter.

22 14. The parties understand and agree that facsimile copies of this Stipulated  
23 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same  
24 force and effect as the originals.

25 15. In consideration of the foregoing admissions and stipulations, the parties  
26 agree that the California Board of Occupational Therapy may, without further notice or formal  
27 proceeding, issue and enter the following Disciplinary Order:  
28

[illegible][illegible]

6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0

0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
20  
21  
22  
23  
24  
25  
26  
27  
28

26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503  
504  
505  
506  
507  
508  
509  
510  
511  
512  
513  
514  
515  
516  
517  
518  
519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563  
564  
565  
566  
567  
568  
569  
570  
571  
572  
573  
574  
575  
576  
577  
578  
579  
580  
581  
582  
583  
584  
585  
586  
587  
588  
589  
590  
591  
592  
593  
594  
595  
596  
597  
598  
599  
600  
601  
602  
603  
604  
605  
606  
607  
608  
609  
610  
611  
612  
613  
614  
615  
616  
617  
618  
619  
620  
621  
622  
623  
624  
625  
626  
627  
628  
629  
630  
631  
632  
633  
634  
635  
636  
637  
638  
639  
640  
641  
642  
643  
644  
645  
646  
647  
648  
649  
650  
651  
652  
653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668  
669  
670  
671  
672  
673  
674  
675  
676  
677  
678  
679  
680  
681  
682  
683  
684  
685  
686  
687  
688  
689  
690  
691  
692  
693  
694  
695  
696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737  
738  
739  
740  
741  
742  
743  
744  
745  
746  
747  
748  
749  
750  
751  
752  
753  
754  
755  
756  
757  
758  
759  
760  
761  
762  
763  
764  
765  
766  
767  
768  
769  
770  
771  
772  
773  
774  
775  
776  
777  
778  
779  
780  
781  
782  
783  
784  
785  
786  
787  
788  
789  
790  
791  
792  
793  
794  
795  
796  
797  
798  
799  
800  
801  
802  
803  
804  
805  
806  
807  
808  
809  
810  
811  
812  
813  
814  
815  
816  
817  
818  
819  
820  
821  
822  
823  
824  
825  
826  
827  
828  
829  
830  
831  
832  
833  
834  
835  
836  
837  
838  
839  
840  
841  
842  
843  
844  
845  
846  
847  
848  
849  
850  
851  
852  
853  
854  
855  
856  
857  
858  
859

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

21  
22  
23  
24  
25  
26  
27  
28

2:

1                   6.       **Notification to Employer(s).** When currently employed or applying for  
2 employment in any capacity in any health care profession, Respondent shall notify his employer  
3 of the probationary status of respondent's license. This notification to the current employer shall  
4 occur no later than the effective date of the Decision. Respondent shall notify any prospective  
5 health care employer of his probationary status with the Board prior to accepting such  
6 employment. This notification shall be made by providing the employer or prospective employer  
7 with a copy of the Board's Accusation and Stipulated Settlement and Disciplinary Decision and  
8 Order.

9                   Respondent shall cause each health care employer to submit quarterly reports to  
10 the Board. The reports shall be on a form provided by the Board, shall include a performance  
11 evaluation and such other information as may be required by the Board.

12                  Respondent shall notify the Board, in writing, within five (5) days of any change  
13 in employment status. Respondent shall notify the Board, in writing, within five (5) days if he is  
14 terminated from any occupational therapy or health care related employment with a full  
15 explanation of the circumstances surrounding the termination.

16                  7.       **Employment Requirements and Limitations.** During probation,  
17 respondent shall work in his licensed capacity in the State of California. This practice shall  
18 consist of no less than (6) continuous months and of no less than twenty (20) hours per week.

19                  While on probation, respondent shall not work for a registry or in any private duty  
20 or home health position. Respondent shall work only on regularly assigned and identified  
21 pre-determined work site(s) of his employer, and shall not work in a float capacity except as  
22 approved, in writing, by the Board.

23                  8.       **Supervision Requirements.** Respondent shall obtain prior approval from  
24 the Board, before commencing any employment, regarding the level of supervision provided to  
25 the respondent while employed as an occupational therapist or occupational therapy assistant.

26                  Respondent shall not function as a supervisor during the period of probation  
27 except as approved, in writing, by the Board.

28       ////

1                   9.       **Continuing Education Requirements.** Respondent shall complete  
2 continuing education in the area of Ethics and Clinical Documentation. Such continuing  
3 education shall be completed within one year of the effective of this Decision. The continuing  
4 education course work shall be in addition to the professional development activities required for  
5 license renewal. Respondent shall complete the required continuing education course work as  
6 follows: one course in **Ethics** for twelve (12) hours of credit; and one course on **Clinical**  
7 **Documentation** for three (3) hours of credit. Within sixty (60) days of the effective date of the  
8 Decision, Respondent shall submit a written plan to comply with this requirement. The Board  
9 shall approve such plan prior to enrollment in any course of study. Failure to satisfactorily  
10 complete the required continuing education as scheduled shall constitute a violation of probation.  
11 Respondent is responsible for all costs of such continuing education. Upon successful  
12 completion of the courses, Respondent shall submit the original certificates to the Board at its  
13 Sacramento address by certified mail, return receipt requested.

14                   10.       **Maintenance of Valid License.** Respondent shall, at all times while on  
15 probation, maintain an active current license with the Board, including any period during which  
16 license is suspended or probation is tolled.

17                   11.       **Cost Recovery Requirements.** Respondent shall reimburse the Board for  
18 its costs in the investigation and enforcement of this matter pursuant to Business and Professions  
19 Code section 125.3, in the amount of \$ 7,800.00 (Seven Thousand, Eight Hundred Dollars).  
20 Respondent may pay this sum in installments, payable as directed by the Board.

21                   If Respondent fails to pay the costs as directed by the Board and on the date(s)  
22 determined by the Board, probation shall be automatically extended until such time that all costs  
23 are paid in full.

24                   Failure to make payments in accordance with any formal agreement entered into  
25 with the Board or pursuant to any Decision by the Board shall be considered a violation of  
26 probation.

27                   The Board may conditionally renew or reinstate, for a maximum of one (1) year,  
28 the license of any respondent who demonstrates financial hardship. Respondent shall enter into a

1 formal agreement with the Board to reimburse the unpaid costs within that one (1) year period.

2 Except as provided above, the Board shall not renew or reinstate the license of any  
3 respondent who has failed to pay all the costs as directed in a Decision.

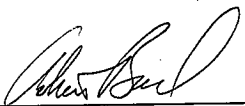
4 12. **Violation of Probation.** If respondent violates probation in any respect,  
5 the Board, after giving respondent notice and opportunity to be heard, may revoke probation and  
6 carry out the disciplinary order which was stayed. If an accusation or a petition to revoke  
7 probation is filed against respondent during probation, the Board shall have continuing  
8 jurisdiction until the matter is final, and the period of probation shall be extended until the matter  
9 is final.

10 13. **Completion of Probation.** Upon successful completion of probation,  
11 respondent's license will be fully restored.

12 ACCEPTANCE

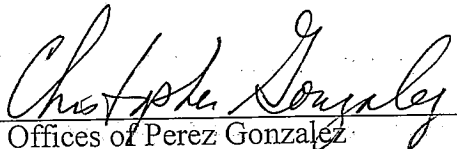
13 I have carefully read the Stipulated Settlement and Disciplinary Order, and have  
14 discussed it with my attorney Christopher Gonzalez. I fully understand this stipulation and the  
15 effect it will have on my license. I enter into this Stipulated Settlement and Disciplinary Order  
16 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the  
17 Board of Occupational Therapy

18 DATED: October 8, 2007.

19   
20 ADRIAN BERNARD BAIRD  
Respondent

21 I have read and fully discussed with Respondent the terms and conditions and  
22 other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its  
23 form and content.

24 DATED: October 8, 2007

25 By:   
26 Law Offices of Perez Gonzalez  
27 by: CHRISTOPHER GONZALEZ  
28 Attorney for Respondent




1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Occupational Therapy .

DATED: 10 - 15 - 07

EDMUND BROWN JR., Attorney General  
of the State of California

  
\_\_\_\_\_  
SUSAN MELTON WILSON  
Deputy Attorney General  
Attorneys for Complainant

DOJ Docket/Matter ID Number: LA2004601924  
60248308.wpd